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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,486	10/07/2003	Sami Pienimäki	061602-6000	4042
30542 7590 09/18/2009 FOLEY & LARDNER LLP P.O. BOX 80278 SAN DIEGO, CA 92138-0278				
EXAMINER GEE, JASON KAI YIN				
ART UNIT 2434		PAPER NUMBER		
MAIL DATE 09/18/2009		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/679,486

Applicant(s)

PIENIMAKI ET AL.

Examiner

JASON K. GEE

Art Unit

2434

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07/10/2009.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 5-12 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,2 and 5-12 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/CDC)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

1. This action is response to communication: amendment received 07/10/2009.
2. Claims 1, 2, and 5-12 are current pending in this application.
3. No new IDS was received for this application.

Response to Arguments

4. Applicant's arguments filed 07/10/2009 have been fully considered but they are not persuasive.

The applicants are arguing that the Wu reference does not teach wherein an access control point enforces an application to switch any traffic provided over internet access to the user terminal in the public wireless local area network to an encrypting security service port. However, Wu clearly teaches this limitation. As seen in Figure 2 and described in paragraph 3, a wireless terminal is provided internet access through access points in public wireless local area networks. These access control points are ultimately controlled by the AAAH and AAAP servers, as seen in paragraphs 25-29. Wu is directed toward handing over a connection from one access point connected to a user to another access point, so that the user may connect to another access point in the network to receive service (paragraph 6), in which the access point hands over the keys to the user. As seen in paragraph 7, a first access point can only transmit a handoff key to a user if the user is already actively communicating to the first access point. When the access point hands off the handoff key to the user to authenticate himself with

another access point, this is enforcing the terminal to switch its traffic to an encrypting security service port, which is another access point. For some further clarification, see Figure 4, wherein a terminal 12 initially communicates with access point 14. Access point 14 passes off a key to terminal 12, which it uses to connect to access point 16, which is an encrypting security service port. Again, as seen, all these policies are enforced by the AAAH and the AAAP servers, as they maintain the information regarding the identification, authorization, and accounting of the terminals (paragraphs 26). Without these servers, none of the policies would be enforced and the terminals would not be able to connect or be authorized to the other access points. The passing on of a handoff key from one access point to the user to connect to another access point is thus the enforcement of it as all of this is controlled by the AAAH and AAAP servers. Therefore, Wu teaches wherein an access control point enforces applications to switch any traffic provided over internet access to the user terminal in the public wireless LAN to an encrypting security service port.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 2, and 5-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Wu et al. US Patent Application Publication 2004/0203783 (hereinafter Wu)..

As per claim 1, Wu teaches a method, comprising: providing access to a public wireless local area network for a user terminal ((Figure 2, paragraph 3); initiating an authentication, authorization, and accounting procedure for the user terminal (Figure 2, paragraph 25 and 26); providing an internet access gateway functionality (paragraph 3 and throughout the reference); and enforcing an application to switch any traffic provided over internet access to the user terminal in the public wireless local area network to an encrypting security service port (paragraphs 12, 30, 31, 39-40, and throughout the reference, where handoff keys are used and users are transferred to different access points), wherein the initiating and enforcing are performed by an access control point (Figure 2, paragraphs 25-29, 31, 39-40)

As per claim 2, Wu teaches wherein the encrypting security service is the secure sockets layer or the transport layer security (paragraph 27, 40, 59).

As per claim 5, Wu teaches retrieving information by the access control point from RADIUS messages whether a user terminal does not use a 802.11 encryption, and performing the enforcing to the application if it is accessed by such a user terminal (paragraphs 28, 43, 42.12, 30, and 31).

As per claim 6, Wu teaches wherein the application can be one of a group comprising the hypertext transfer protocol for browsing the Internet, the Internet

message access protocol 4, the post office protocol 3, and the simple mail transfer protocol ((paragraphs 23 and 24).

Claim 7 is rejected using the same basis of arguments used to reject claim 1 above.

Claim 8 is rejected using the same basis of arguments used to reject claim 2 above.

Claim 9 is rejected using the same basis of arguments used to reject claim 5 above.

Claim 10 is rejected using the same basis of arguments used to reject claim 1 above.

Claim 11 is rejected using the same basis of arguments used to reject claim 2 above.

Claim 12 is rejected using the same basis of arguments used to reject claim 5 above.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON K. GEE whose telephone number is (571)272-6431. The examiner can normally be reached on M-F, 7:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on (571) 272-38113811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jason Gee/
Patent Examiner
Technology Center 2400
03/06/2009

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/Kambiz Zand/

Supervisory Patent Examiner, Art Unit 2434